

Office Action Summary**Application No.**

10/572,179

Applicant(s)

BOCQUET ET AL.

Examiner

Yuan L. Chen

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/17/2008 & 11/24/2008 phone interview.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 3-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-849)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/16/2006
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date 20081204
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I (Claims 1 – 2) in the reply filed on 10/17/2008 is acknowledged.
2. Claims 3 – 10 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Groups II - VI, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 10/17/2008.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1 - 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter.

Claims 1 – 2 presented in the response dated 10/17/2008 were so unclear and confusing, that the Examiner could not clearly determine the scope of the claims and arranged a pre-first Office Action interview with Applicant's representative to clarify the issues.

After the pre-first Office Action interview with Applicant's representative J. O'Connell on 11/24/2008 (see attached Interview Summary), a revised version of proposed Claim 1 sent by J. O'Connell (see the attachment) was received on

12/1/2008. The revised version of proposed Claim 1 is deemed to be what Applicant is intending to claim and resolves the various 112 issues. For the sake of furthering prosecution, Claim 1 as revised has been considered by the Examiner in terms of examination and application of relevant art in this Office Action.

Drawings

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "70" has been used to designate two different phase positions in Fig. 4. Furthermore, the drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: fourth phase position 72 and fifth phase position 74 as described in paragraph [0039].

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

6. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "a leading edge and a trailing edge", "a first receiving element" and "a second receiving element" as recited in Claims 1 and 2 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

7. The disclosure is objected to because of the following informalities: In [0039] line 3, it appears from the context of the sentence that Applicant intended to refer to –the leading edge— instead of “the trailing edge”.

Appropriate correction and/or clarification is required.

Claim Objections

8. Claims 1 – 2 are objected to because of the following informalities:

with respect to revised Claim 1, “a third phase position” in line 8 and “the forth phase position” in line 11 should be changed to –a first phase position-- and –a second phase position-- respectively with insufficient antecedent basis in the claims (no first and second phase positions recited before reciting the third and fourth phase positions), “a printing master” in lines 12 and 15 should be changed to “said printing master”; and

with respect to Claim 2, “comprising rotating” in line 3 should be changed to – comprising a step of rotating— to use less awkward claim language.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

a person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1 – 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Donges et al. (Pub. No.: US 2003/0094111).

With respect to Claim 1, Donges et al. disclose in Figs. 1 and 3a (see attachment for more reference numbers) as well as [0017] lines 16 – end of [0018] and [0019] lines 14 – 20:

a method of changing the mounting condition (plate-exchange operation) of a printing master (500) on a printing master cylinder (260), the printing master (500) including a leading edge (510) and a trailing edge (not shown but in [0018] line 8 and some other paragraphs), the printing master cylinder (260) including a first receiving element (in 420) for receiving and releasing the leading edge (510) and a second receiving element (in 420) for receiving and releasing the trailing edge, the method comprising the successive steps of:

rotating the printing master cylinder (260) at a first speed (v_{DG});

reducing the speed (v_P) of the printing master cylinder from the first speed (v_{DG}) to a second speed v_R defining a first phase position (Φ_1) of the printing master cylinder (260);

actuating (rendezvous) the first or second receiving element (in 420) in at least one phase position (Φ');

increasing the speed (v_P) of the printing master cylinder (260) from the second speed (v_R) defining a second phase position (Φ_2) of the printing master cylinder (260);

wherein, for mounting (clamping) said printing master (500) on the printing master cylinder (260), actuating (rendezvous) the first or second receiving element (in

420) in the at least one phase position (Φ') includes closing the first receiving element (in 420),

wherein, for dismounting (unclamping) said printing master (500) from the printing master cylinder (260), actuating (rendezvous) the first or second receiving element (in 420) in the at least one phase position (Φ') includes opening the second receiving element (in 420) to releasing the trailing edge of the printing master (500).

With respect to Claim 2, Donges et al. disclose the limitations of Claim 2 in Figs. 1 and 3a (see attachment for more reference numbers) as well as [0017] lines 16 – end of [0018] and [0019] lines 14 – 20: a step of rotating the printing master cylinder (260) at further different speeds (between v_R and v_{DG}) between further phase positions (after Φ_2).

This modification/combination meets all the limitations of Claim 2.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuan L. Chen whose telephone number is 571-270-3799. The examiner can normally be reached on Monday-Friday 7:30 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/yc/

/Leslie J. Evanisko/
Primary Examiner, Art Unit 2854